

have been expressed time and time again. But we find ourselves embroiled in a controversy on this legislation that has gotten beyond the ability of the general public to grasp why we are not getting on it and making the corrections that are needed.

We passed a bill that would put consistent procedures for risk assessment and cost-benefit analysis in place for all agencies and make agencies accountable for the actions taken in reliance on those agencies.

Why does this procedure lead to fairness and common sense? Very simply, because they ensure that regulations will direct our limited resources to the substance or activities that are most likely to harm us and prevent that harm in a cost-effective way. It is simply that simple.

We find that we have an ally in this process. Let me quote from the statement of the President. I have this chart here, Mr. President, which I will read very briefly. It is from the President. I quote:

The American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves their health, safety, environment, and well-being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for the economic growth; regulatory approaches that respect the role of State, local, and tribal governments; and regulations that are effective, consistent, sensible, and understandable. We do not have such a regulatory system today.

Those are the words of our President. But in spite of what the President, what the Congress and what the American people all know, this legislation has been bogged down in discussions designed to play on emotions. It has become complex. It has become almost a lawyer's delight to deliberate the application.

We went through it the other day on the issue of the Mammogram Quality Standards Act. We all know that this legislation would not in any way have interfered with the promulgation of the rules under that act.

I have had some familiarity with that, Mr. President, because my wife and a group of women in Fairbanks, AK in the mid-1970's started a breast cancer clinic. They purchased a mammogram machine, and, as a consequence, provided free services to the women of interior Alaska for an extended period of time. However, 2 years ago, under the Mammogram Quality Standards Acts procedure, that particular machine became outdated. And in order to comply with the quality standards, it was necessary that a new machine be ordered.

So a number of us got together and raised approximately \$150,000 and bought a new machine. This year we are raising some more money to buy a mobile mammogram machine. This is done without any Federal Government assistance of any kind, and provides

the service to the women of the interior who are on the road systems of Alaska, and it will be further extended to the villages because this unit will fit inside the National Guard C-130 aircraft. So when they go into the villages, the vehicle can be backed out and made available to serve women that otherwise would not be available for this type of care.

So the point is, Mr. President, that we have a system under the Mammogram Quality Standards Act that works. Not only does this legislation that we are contemplating have an exemption for health emergencies, but it also specifically recognizes that risk and cost-benefit analysis should only be done at the level of detail necessary, taking the need for expedition into consideration.

So, as a consequence, we found ourselves spending a good deal of time debating whether or not—by not excluding mammograms—we were somehow risking the health of women in the United States. And while that argument was voiced extensively on this floor, there was absolutely no justification in my mind, or others who have examined the application of existing laws and regulations that were covered under this legislation, that indeed these services were in jeopardy.

So what this bill does, Mr. President, under Executive Order 12866 issued in 1983, there is a requirement for cost-benefit analysis for major regulations and the use of risk as a basis for regulating.

There are 25 high priority actions which were initiated this past March to reinvent environmental regulations in recognition that the current regulatory system is broken.

Further, after several years of no action, the Environmental Protection Agency recently decided to change a longstanding food safety policy related to residual levels of pesticides that treated flour and tomato paste as ready to eat. EPA has already compiled a list of obsolete, duplicative, or unnecessary regulations and obtained concurrence from States on planned revisions and terminations that would eliminate 16,000 pages from the Code of Federal Regulations.

The administration is planning a project known as XL that would, for the first time, allow pollutant trading among different media such as air and water, as part of the President's plan to emphasize market-based regulation.

A high-level Clinton administration working group has crafted a far-reaching set of proposed administrative, regulatory and legislative changes to reform cleanups under Superfund and the Resource Conservation and Recovery Act, including provisions that elevate the consideration of risk and cost in cleanup decisions.

EPA has launched a major effort to review, streamline, and offer new flexibility for states in implementing the agency's Clean Water Act Permit Program. This is considered a key proposal

in the initiative to modify or delete duplicative, burdensome, or obsolete rules.

EPA is moving to pare back routine inspection and enforcement requirements, particularly for industrial wastewater and hazardous waste disposal facilities, to shift agency resources to focus enforcement efforts on high risk facilities or activities.

EPA has changed its position from a December preproposal and decided not to regulation low-level radioactive waste storage sites already overseen by the Nuclear Regulatory Commission, a position taken by six Senators that such regulation would be a wasteful duplication of effort.

A major Clean Air Act rulemaking was initiated in January to allow States to automatically implement broad trading programs in emission reduction credits on the open market. In addition, a model rule allowing banking of credits is under consideration.

In conclusion, Mr. President, I think it is fair to say that each of these proposals covers areas addressed already in S. 343, so one has to ask why are some Members of this body, why are some of those at the White House fighting this legislation when we all know that we need this bill. The American people know we need this bill. We also know that we should not have to stand here and continually recite day after day, hour after hour, horror stories and examples of regulatory excess to get this legislation passed. We all know it has to be done, and it should be done without further delay.

So it is my hope that the leadership on both sides of the aisle can get a handle on this legislation and recognize that the American people want efficiencies in Government; they want efficiencies in regulation; they want efficiencies in oversight; and they want to be able to understand the process that is occurring. They want it based on fairness, and they want it based on common sense, and they want it now.

I thank the Chair. I wish my colleagues a pleasant weekend.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.